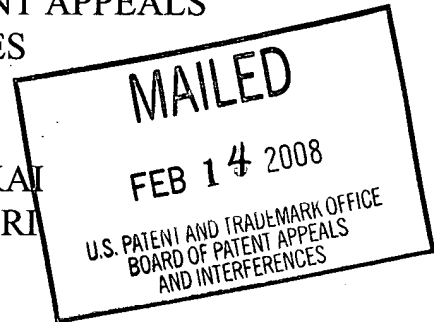


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KATSUYI SAKAI
AND KEIICHIRO NOJIRI

Application No. 10/651,038



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on January 24, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

On March 12, 2007, appellants filed a communication including an amendment and a reply to the Examiner's Answer entered January 12, 2007. Note that the amendment proposes cancellation of all claims under appeal. There is no indication in the record that this communication has been considered.

Application No. 10/651,038

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) to consider the communication filed March 12, 2007; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

PATRICK J. NOLAN

Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

cc: FOLEY AND LARDNER
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